

07 CV 8255

JUDGE CASTEL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

The Bank of New York Trust Company, N.A., as
Trustee,
Plaintiff,

-v-

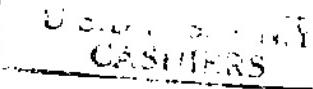
First Magnus Capital, Inc. and Thomas W.
Sullivan, Sr., as Trustee of the Thomas
W. Sullivan Revocable Trust,

Defendant

Case No.

Rule 7.1 Statement

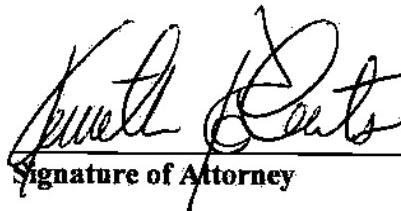
SEP 21 2007



Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for The Bank of New York Trust Company, N.A. (a private non-governmental party) certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

Bank of New York Mellon Corporation

Date: September 20, 2007


Signature of Attorney

Attorney Bar Code: KR6960